

# Radiation Exposure Compensation Act

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The Radiation Exposure Compensation Act (“the Act” or “RECA”), [42 U.S.C. § 2210 note \(2012\)](#) established an administrative program for claims relating to atmospheric nuclear testing and claims relating to uranium industry employment. The Act delegated authority to the Attorney General to establish procedures and make determinations regarding whether claims satisfy statutory eligibility criteria.

## Program Summary

The United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962. Essential to the nation’s nuclear weapons development was uranium mining and processing, which was carried out by tens of thousands of workers. Following the tests’ cessation in 1962 many of these workers filed class action lawsuits alleging exposure to known radiation hazards. These suits were dismissed by the appellate courts. Congress responded by devising a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry: the Radiation Exposure Compensation Act was passed on October 5, 1990. The Act’s scope of coverage was broadened in 2000.

The Act presents an apology and monetary compensation to individuals who contracted certain cancers and other serious diseases:

- following their exposure to radiation released during the atmospheric nuclear weapons tests, or
- following their occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup.

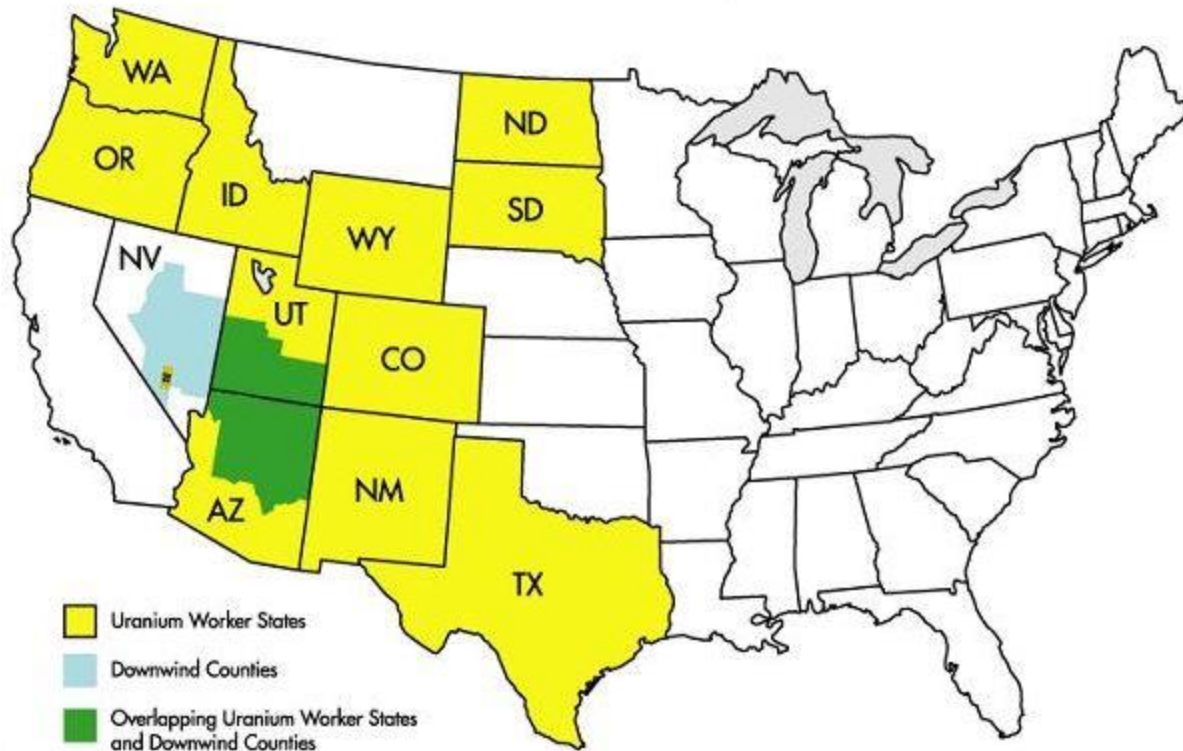
This unique statute was designed to serve as an expeditious, low-cost alternative to litigation. Significantly, RECA does not require claimants to establish causation. Rather, claimants qualify for compensation by establishing the diagnosis of a listed compensable disease after working or residing in a designated location for a specific period of time.

## RECA Covered Areas

RECA establishes lump sum compensation awards for individuals who contracted specified diseases in three defined populations:

Uranium miners, millers, and ore transporters – \$100,000;  
“Onsite participants” at atmospheric nuclear weapons tests – \$75,000; and  
individuals who lived downwind of the Nevada Test Site (“downwinders”) – \$50,000.

## RECA COVERED AREAS



The Act defines specific eligibility criteria within these three broad areas of application:

**Uranium Worker States:** the Act covers certain uranium industry employment in the states of Arizona, Colorado, Idaho, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. The dates of coverage are from January 1, 1942, through December 31, 1971. A claimant must establish both uranium industry employment that meets the statutory requirements, and a subsequent diagnosis of a specified compensable disease.

**Onsite Participants:** the Act covers participation in a test involving the atmospheric detonation of a nuclear device above or within the Pacific Test Sites, the Nevada Test Site, the South Atlantic Test Site, the Trinity Test Site, any designated location within a naval shipyard, air force base, or other official government installation where ships, aircraft or other equipment used in an atmospheric nuclear detonation were decontaminated; or any designated location used for the purpose of monitoring fallout from an atmospheric nuclear test conducted at the Nevada Test Site. A claimant must establish both participation onsite in a test involving the atmospheric detonation of a nuclear device and a subsequent diagnosis of a specified compensable disease. "Atmospheric detonations of nuclear devices" means only those tests conducted by the United States prior to January 1, 1963.

**Downwinder Areas:** the Act covers physical presence in certain counties located downwind from the Nevada Test Site. In the State of Utah, the counties include Beaver, Garfield, Iron, Kane, Millard, Piute,

San Juan, Sevier, Washington, and Wayne; in the State of Nevada, the counties include Eureka, Lander, Lincoln, Nye, White Pine, and that portion of Clark County that consists of townships 13 through 16 at ranges 63 through 71; and in the State of Arizona, the counties include Apache, Coconino, Gila, Navajo, Yavapai, and that part of Arizona that is north of the Grand Canyon. A claimant must establish physical presence in the Downwinder area for two years during the period beginning on January 21, 1951, and ending on October 31, 1958, or for the entire period beginning on June 30, 1962, and ending on July 31, 1962, and a subsequent diagnosis of a specified compensable disease.

### **The Radiation Exposure Compensation Program**

The U.S. Attorney General established the Radiation Exposure Compensation Program within the Constitutional and Specialized Tort Litigation Section in April 1992. The DOJ promulgated regulations for carrying out the program that permit use of existing records so claims can be resolved reliably, objectively, and non-adversarially, with little administrative cost to either the individual filing the RECA claim or the United States government. The initial 1992 regulations were updated in 1997 and revised on March 23, 2004.

Although residents of the Four Corners Region (Utah, Colorado, New Mexico, and Arizona) have filed the majority of RECA claims, the program has awarded compensation to individuals residing in each state, as well as several foreign countries.

The claimant population includes many Native American tribes. The Program regularly cooperates with members of the Navajo, Hopi, Yavapai, Apache, and Spokane nations. The Program has also visited more than a dozen reservations to meet with tribal leaders and assist members filing RECA claims.

### **Inter-Agency Radiation Network**

Today, the RECA Program is at the center of a broad inter-agency network that comprises the comprehensive federal radiation compensation system. The Department of Labor processes claims filed under a compensation program created by the Energy Employees Occupational Illness Compensation Program Act ("EEOICPA"), 42 U.S.C. §§ 7384 et seq. (2012). This program pays uranium workers (or their eligible survivors) who were approved for compensation under Section 5 of RECA an additional \$50,000 and future medical benefits related to the condition for which they were approved for compensation under RECA. In addition to the \$50,000 compensation noted above, RECA Section 5 claimants may be entitled to compensation and benefits pursuant to Part E of EEOICPA. For more information, please review the Department of Labor's Office of Workers' Compensation Programs website at [www.dol.gov/owcp/](http://www.dol.gov/owcp/). The RECA Program works closely with DOL to coordinate this additional compensation.

The RECA Program also relies on cooperation from the Departments of Veterans Affairs, Energy, and Defense to determine the eligibility and compensation available to onsite participant claimants under RECA. Finally, the Radiation Exposure Screening and Education Program ("RESEP"), administered by the Department of Health and Human Services' Health Resources Services Administration, provides grants for education, prevention, and early detection of radiogenic cancers and diseases. RESEP has awarded grants to seven clinics in Nevada, Colorado, Utah, Arizona, Washington and New Mexico. In addition to

its outreach and educational programs, the RESEP clinics provide medical screening for specified compensable diseases under RECA, conduct follow-up services, make referrals to medical specialists, and assist with RECA and EEOICPA claims processing by providing necessary medical documentation.

## **Deadline for Claims**

All claims under RECA must be filed by July 9, 2022. In accordance with Section 8(a) of RECA, any claim received after July 9, 2022, will be barred.

## **RECA Documents & Forms**

RECA [Awards To Date](#)

RECA [Claimant Categories Summary](#)

## **Download or Request RECA Claim Forms**

Request a RECA claim form to be [mailed to you](#). Please allow 2-4 weeks for delivery.

Download a RECA claim form:

Select the form you would like to download from the choices below.

Wait for the form to fully download before attempting to print. The files are relatively large, so they may take a few moments to download.

Once the form has fully downloaded, it may be printed and filled out. Forms submitted for approval must have an original signature.

RECA claim forms:

[Onsite Participant Claim Form](#)

[Downwinder Claim Form](#)

[Uranium Mine Employee Claim Form](#)

[Ore Transporter Claim Form](#)

[Uranium Mill Employee Claim Form](#)

## **Return of Documents**

The RECA Program reviews and returns certified or original life records and other precious documents submitted along with RECA claims. Although the program makes an effort to return documents in a timely manner, there is a significant backlog. If you would like to expedite the return of your records, please contact Vera Burnett- Powell at 202-616-4336 or [Vera.Burnett-Powell@usdoj.gov](mailto:Vera.Burnett-Powell@usdoj.gov) ([link sends e-mail](#)) with your name, claim number and a current address.

## **Contact the Radiation Exposure Compensation Program**

### **Contact the RECA Program by Telephone**

Telephone: 1-800-729-RECP (1-800-729-7327)

### **Contact the RECA Program by U.S. Postal Service**

U.S. Department of Justice  
Radiation Exposure Compensation Program  
P.O. Box 146  
Ben Franklin Station  
Washington, DC 20044-0146

### **Contact RECA by e-mail**

[Civil.RECA@usdoj.gov](mailto:Civil.RECA@usdoj.gov)

### **Find a USDVA Facility**

Use the [facility locator](#) or call 1-877-222-VETS (8387).

### **Contact Your County Veterans Service Office**

The County Veterans Service Offices (CVSO) are locally-funded agencies established to assist veterans and their families in obtaining benefits and services accrued through military service. These County Veteran Service Offices promote the interest and welfare of veterans, their dependents, and their survivors by enhancing their quality of life through counseling, education, benefits assistance, and advocacy. They connect Veterans to their benefits by assisting in their interactions with the USDVA.

- Visit the [CalVet](#) website for more information, **OR**
- Find the [CVSO](#) closest to you, **OR**

CalVet strongly recommends you to work with the CVSO nearest you. Your CVSO can guide you through the benefits and services available as well as help connect you with other local resources.

### **Questions/Comments**

Email us at [CalTAP@calvet.ca.gov](mailto:CalTAP@calvet.ca.gov)

### **Sources**